

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

STORM TEAM CONSTRUCTION, INC.,	:	
	:	
Plaintiff,	:	PLAINTIFF'S NOTICE OF
	:	DISMISSAL OF COMPLAINT
v.	:	
	:	
OWNERS INSURANCE COMPANY	:	CIVIL ACTION NO. 6:21-CV-02679
D/B/A AUTO-OWNERS INSURANCE	:	
GROUP	:	
	:	
Defendant.	:	
	:	

Plaintiff Storm Team Construction Inc., pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby dismisses all causes of action in the complaint against Defendant Owners Insurance Company ("Owners") without prejudice.

Plaintiff is dismissing this action because it has discovered that Owners filed a separate, previous suit against Storm Team regarding the same issues. Owners obtained a default judgment after Storm Team failed to make an appearance due to Owners' failure to properly serve them. Therefore, Storm Team will file a Motion to Set Aside the Default Judgment and continue the litigation in that matter.

Defendant Owners has filed neither an answer to the complaint nor a motion for summary judgment as to these claim. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully Submitted,

**BOYLE LEONARD ANDERSON, P.A.**

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**ATTORNEYS FOR STORM TEAM**

**CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2021, a true and correct copy of the forgoing was served on all counsel of record by the Court's CM/ECF system in accordance with the Federal Rules of Civil Procedure.

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**ATTORNEYS FOR DEFENDANT**

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